

**CCA Case No. 20126 – Chanel Willis
Investigation Report and Findings**



**Jessalyn Goodman
Investigator**

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Director**

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COMPLAINT SUMMARY

On July 4, 2020, Ms. Chanel Willis was on her way to an event when she saw a crowd surrounding a vehicular accident on May Street and McMillian Street. Ms. Willis entered the crowd because she recognized the vehicle. Her brother was there because his daughter had been involved in the accident; Ms. Willis described her brother as “in shock” and “overwhelmed” with emotion.

Officer Cameron Mullis was on scene had control over the crowd. Shortly afterwards, Sergeant Adrian Miller arrived and yelled at members of the crowd to “Get back!” Sergeant Miller “chest-bumped” Ms. Willis’s brother; he did not resist but did not comply with Sergeant Miller. Sergeant Miller responded, “I could have slammed you.” When Ms. Willis intervened between Sergeant Miller and her brother, Sergeant Miller “chest-bumped” her, causing Ms. Willis to catch her balance on the wall of a hardware store. Sergeant Miller grabbed her hand and yelled again for her to get back. Eventually, Ms. Willis left, and her brother accompanied his daughter to the hospital.

Ms. Willis described Sergeant Miller’s attitude as “aggressive” and “could have escalated” the situation unnecessarily. She believed Sergeant Miller may require empathy training.

INVOLVED SUBJECT STATEMENTS

Chanel Willis

CCA interviewed Chanel Willis by phone on July 6, 2020. She provided the following information:

On July 4, 2020, Ms. Willis, F/B/41, was on her way to a community event in Walnut Hills, when she saw observed the aftermath of a vehicular accident. She stopped to see if it involved anyone she knew and noticed her brother (M/B) “observing because his daughter was on the ground.” Officer Mullis was there with him, and the situation appeared “just fine.” Ms. Willis comforted her brother and saw some other officers and other relatives at the scene.

When Sergeant Miller arrived, he acted as though it was “a protest or a crime scene” instead of concerned bystanders. He shouted, “Get back!” and acted aggressively, without waiting to see if the bystanders complied before repeating commands. He pushed Ms. Willis’s brother’s chest, like a “chest bump.” The bystanders asked Sergeant Miller to let Ms. Willis’s brother stay because he was the father of a victim. Sergeant Miller replied that her brother “should have been ‘slammed.’” When Ms. Willis physically intervened, Sergeant Miller “chest-bumped” Ms. Willis. She stumbled and grabbed a nearby wall for balance. Sergeant Miller grabbed her hand on the wall and repeated that she needed to move. Ms. Willis asked everyone to get back so her brother and other parents could stay.

Ms. Willis told Sergeant Miller he needed more training, and Sergeant Miller said he had been an officer for 12 years. Ms. Willis told him whatever he had been doing was not right and he needed empathy training. She was concerned that Sergeant Miller could have made the situation worse.

Ms. Willis did not give her brother’s name to CCA because she did not know if he would want to be part of this investigation.

INVOLVED
OFFICER
STATEMENTS

Sergeant Adrian Miller

Sergeant Miller, #SO957, M/B/39, is currently assigned to District 4, and he has been a CPD member since 2008. He was on duty, in uniform, operated a marked cruiser; his BWC was activated. CCA interviewed Sergeant Miller on July 12, 2021 at the CCA office. He provided the following information:

On July 4, 2020, Sergeant Miller was dispatched to an accident with injuries on East McMillan. On arrival, the Cincinnati Fire Department (CFD) personnel requested for the officers to move back a crowd of onlookers. Sergeant Miller estimated there were approximately eight onlookers who were within 10 feet of the emergency personnel. Officer Mullis, Officer Givens, and Sergeant Miller followed their instruction and attempted to herd the bystanders back an additional 10 feet.

When Sergeant Miller verbally directed them to move back, approximately three people were “irate” about being moved and did not comply. They believed the officers’ actions were “unnecessary.” Ms. Willis indicated one of the people involved in the accident was her brother’s child and therefore they did not have to move. Sergeant Miller and the officers walked towards the individuals in the direction the officers wanted to the individuals to go, which caused the bystanders to scoot back; he denied any physical contact. Initially, this caused the officers to come within a couple feet of the bystanders; however, Sergeant Miller denied that he or any of the officers made physical contact with the bystanders.

During the encounter, someone made a comment about “fighting” or “assault,” though he did not recall the exact context. Sergeant Miller tried to explain that was not what he was trying to do and recalled his remark, “If I wanted to fight you, I would be doing something differently.” He did not recall saying, “I could have slammed you,” but had stated, “If that’s what I wanted to do, that’s what I would do.”

Sergeant Miller described Ms. Willis was “very verbal” and “disrespectful,” while her brother was “disrespectful” but “not as loud.” He claimed that he usually ignores those comments, though mentioned in a normal situation, he would have warned Ms. Willis twice before he arrested her but decided not to because of the unfortunate situation. Sergeant Miller was not discourteous to anyone during the encounter.

OFFICER
WITNESS
STATEMENTS

Cameron Mullis

Officer Mullis, #P0464, M/W/24, is currently assigned to District 3, and he has been a CPD member since 2019. On the date of the incident, Officer Mullis was assigned to District 4. He was in uniform, on duty, operated a cruiser, and was partnered with Officer Salisbury; his BWC was activated. CCA interviewed Officer Mullis on March 25, 2021 at the CCA office. He provided the following information:

On July 4, 2020, Officer Mullis arrived on the scene of an accident. He observed several individuals that were approximately one-to-two arm-lengths from CFD personnel. Emergency personnel indicated the crowd was too close, so they asked Officer Mullis to move them back so they could help the victims. Officer Mullis understood that it was a tense situation, but CFD needed to do their job.

Officer Mullis estimated that half of the crowd complied with CPD's instructions to move back, but half did not listen. When Sergeant Miller arrived, Officer Mullis informed him that the crowd needed to move back. Officer Mullis and Sergeant Miller attempted verbal commands and when that did not work, they "walked towards" the crowd, causing the crowd to move back. Officer Mullis denied ever using force; he indicated that if an officer touched a citizen, it was "guiding" rather than a shove. He noted Ms. Willis's brother was present and appeared concerned about his child; Ms. Willis's brother did not follow either Officer Mullis's or Sergeant Miller's commands. Officer Mullis did not observe Sergeant Miller "chest bump" any citizen and denied knowledge of any force at all. As the ambulances transported victims, the bystanders left, and the situation resolved itself.

Officer Mullis described Sergeant Miller as "in charge" but denied he appeared to be "intimidating," aggressive, or unnecessarily escalating the situation.

Jamel Givens

Officer Givens, #P0007, M/B/33, is currently assigned to District 4, and he has been a CPD member since 2017. He was in uniform, on duty, and partnered with Officer Emily Ward; his BWC was activated. CCA interviewed Officer Givens on March 25, 2021 at the CCA office. He provided the following information:

On July 4, 2020, Officer Givens was dispatched for crowd control at the scene of the vehicular accident. The parents of the children involved in the accident were nearby and concerned; he did not remember how close the parents were to the medics, but he remembered they were "too close." The emergency personnel needed space to do their work, so the officers put up caution tape in order to keep the parents back. Officer Givens did not engage with them and stood near Sergeant Miller as he spoke with the bystanders.

The parents did not physically do anything at first, but later on, the parents did not want to move. Ms. Willis's brother did not want to get back at all, and he became very upset when Sergeant Miller put up police tape. He remembered Ms. Willis's brother wanted to get to his child and moved very close to Sergeant Miller. Officer Givens did not recall Sergeant Miller touch or have any physical contact with Ms. Willis's brother but believed Sergeant Miller would have had the right to do something but did not.

Due to the accident, there were many "high emotions" at the scene; for that reason, Officer Givens thought the situation could have escalated. However, he did not believe it was Sergeant Miller's intention or actions that would have escalated it. Officer Givens did not remember any profanity or discourtesy.

Britney Salisbury

Officer Salisbury, #P0469, F/W/27, is currently assigned to District 5, but at the time of the incident she was assigned to District 4 and has been a CPD member since 2019. She was in uniform, on duty, with BWC activated, in a cruiser, and partnered with Officer Mullis. CCA interviewed Officer Salisbury on March 29, 2021 at the CCA office. She provided the following information:

On July 4, 2020, Officer Salisbury arrived on scene of a vehicular accident. She observed a crowd had formed around emergency personnel. The emergency personnel asked the officers to move the crowd back because the crowd was close enough to hamper the personnel's ability

to do their work. Officer Salisbury was not aware of any relation between the bystanders and the victims, but they appeared emotional and concerned. Later, Sergeant Miller arrived to assist with the crowd. He directed the officers to put up crime scene tape. She remembered Ms. Willis's brother was present and described him as slow to comply with directives, but Officer Salisbury did not need to put hands on him. She did not recall any physical interaction between Sergeant Miller and members of the crowd.

During the incident, she moved cruisers and spoke to family members in the ambulance. The situation resolved itself once all the bystanders knew what hospital to find their kids and the ambulances had left.

WITNESS STATEMENTS

There were none.

Note: Ms. Willis declined to provide identifying or contact information for her brother, as she did not know if he wanted to be involved in the investigation. His information was not listed in the CPD crash report.

SIGNIFICANT DISCREPANCIES AND CLARIFICATIONS

There were none.

EVIDENCE

Police Documents

CCA reviewed all CPD-related forms, documents, and reports relevant to the incident with the complainant, including BWC and DVR footages, Internal Investigation Section (IIS) report and Computer Aided Dispatch (CAD) report.

Body Worn Camera (BWC)

Sergeant Adrian Miller

The events recorded by Sergeant Miller's BWC occurred starting at 5:09pm on July 4, 2020, according to the BWC's timestamp. A review of that recording reveals the following:

Sergeant Miller approached a crowd of people near CFD emergency personnel. Ms. Willis and her brother stood in front of Sergeant Miller when he directed bystanders to "move back to the corner, please." Ms. Willis's brother remained; Ms. Willis explained her brother was "emotional." Sergeant Miller asked Ms. Willis to let him do his job. Ms. Willis's brother said something inaudible, and Sergeant Miller indicated he understood his situation, but everyone needed to move back. Ms. Willis repeatedly asked the officers not to make her brother move, while also telling her brother not to move closer. Sergeant Miller reiterated the firefighters needed to do their job. As he spoke to Ms. Willis's brother, Ms. Willis interjected with comments. She insisted that her brother had not moved until Sergeant Miller arrived. Ms. Willis said Sergeant Miller was "overdoing it." Sergeant Miller redirected his attention to Ms. Willis's brother and reassured him

that he would be kept informed about his child; Officer Givens spoke to Ms. Willis as she continued to yell about Sergeant Miller.

Sergeant Miller addressed others in the crowd who needed to move back. He reassured one woman she would be kept informed about their son but needed to stand away from emergency personnel. The woman stayed by her son and said, "I am not going anywhere; my son is right here." Sergeant Miller told her that if she cared about her son, she wouldn't do anything to get herself into trouble. Another man approached the woman and Sergeant Miller. Ms. Willis came up to him and led him away, asking him to back up so the parents could stay with their children. Sergeant Miller took the woman's arm and led her back towards Ms. Willis, her brother, and the other bystanders. The woman asked why he was "pushing" her, which he denied. She moved back into the street to observe her son. Ms. Willis told Sergeant Miller that "Officer Mullis had it!"

Sergeant Miller obtained yellow police tape and placed it between the bystanders and the emergency personnel. As he put it up near Ms. Willis's brother, he said, "Excuse me." There appeared to be slight but repeated movements between Sergeant Miller and Ms. Willis's brother. Ms. Willis stated, "You just want to be on some [expletive]." Ms. Willis moved in between them as Sergeant Miller stated, "You would have gotten slammed for that stupid [expletive] you just did." Ms. Willis's right arm extended out towards one of the other bystanders; Officer Mullis's right arm moved against her upper left arm to guide her back away from Sergeant Miller. She responded, "Don't touch me." As Sergeant Miller and Ms. Willis separated, Officer Mullis used his thumbs on either side of her shoulder to encourage her to back away. Many people spoke, but Sergeant Miller can be heard saying, "You would be on your back right now 'cause that was some dumb [expletive] you just did."

Sergeant Miller wrapped the police tape around a door handle as Ms. Willis continued to yell at him and criticized his handling of the situation. When she stated, "You ain't going to talk to me like some [expletive] out here," Sergeant Miller replied, "How about I don't talk to you at all?" He finished and gave instructions to a nearby officer to assist the emergency personnel. Ms. Willis's brother appeared frustrated and said, "You're asking to get wrecked" to Sergeant Miller. Sergeant Miller responded "I've been the force 12 years and never fought nobody. If I wanted to fight somebody I would." Ms. Willis took out her cellphone and said, "You just said you would slam him." Sergeant Miller responded, "He's supposed to get slammed for that." Ms. Willis and her brother talked over each other, so their comments became indistinct.

Sergeant Miller and Ms. Willis's brother calmly spoke about the situation; in the background, Ms. Willis repeatedly yelled that her brother was emotional, and Sergeant Miller needed sympathy and empathy. Sergeant Miller explained to her brother why he was asked to move, but her brother did not respond. Sergeant Miller said, "The fact that you ain't hearing me just means we have nothing to talk about." Her brother agreed that they had nothing to talk about as Sergeant Miller stated he did not want to fight him. A different woman handed Ms. Willis's brother a mask and he moved beyond the tape to go to his daughter in the ambulance. Sergeant Miller did not stop him. As the individuals dissipated, Sergeant Miller removed the police tape. Officer Mullis made an inaudible comment, to which Sergeant Miller responded, "He just wanted a reaction." Sergeant Miller coordinated with the other officers to handle the accident scene. There was no further interaction with citizens. Sergeant Miller deactivated his BWC.

Officer Cameron Mullis

The events recorded by Officer Mullis's BWC occurred starting at 5:02pm on July 4, 2020, according to the BWC's timestamp. A review of that recording reveals the following:

Officers Mullis and Salisbury arrived on scene. They approached emergency personnel, who were treating injured parties of a vehicular accident. Officer Mullis asked a firefighter if they wanted the officers to get people back, and he said yes. He asked another fireman who indicated

the people were okay. Ms. Willis's brother approached the CFD personnel. Officer Mullis turned to stop him from getting too close, but he disregarded the attempts. Officer Mullis repeatedly told him to stop and get back, using his hands on Ms. Willis's brother's shoulders to guide him back. The brother tried to get past Officer Mullis, repeatedly saying, "My daughter." Other onlookers physically intervened, told him that it was okay, and attempted to mollify him. When Ms. Willis's brother attempted to advance again, Officer Mullis placed both of his hands against his shoulders, moved him back, and said, "Stop. They're trying to help him, all right?" The bystanders intervened again to assist. Some left to provide items to the emergency personnel. Officer Mullis attempted to control the crowd as he offered comforting words to Ms. Willis's brother. When Officer Mullis asked everyone to move back further, Ms. Willis's brother refused to move and asked Officer Mullis if he wanted "a problem." Officer Mullis responded that he did not. Officer Salisbury reiterated the officers wanted to ensure CFD could do their job.

Ms. Willis arrived and comforted her brother. Approximately three minutes later, Sergeant Miller arrived and asked everyone to move to the street corner. Ms. Willis's brother confirmed his child was involved and stated he was not going anywhere. Ms. Willis tried to explain that her brother was emotional. Sergeant Miller engaged in conversation with her brother (as detailed previously). Officer Mullis spoke with other bystanders who offered varying degrees of compliance with the officers' directives. When Sergeant Miller assisted, he held one woman's arm and guided her out of the road and to the sidewalk near Ms. Willis. She became upset and asked why Sergeant Miller was pushing her. Ms. Willis became frustrated, said Officer Mullis "had it," and her brother added, "Y'all looking for a problem."

Sergeant Miller took police tape and used it to separate the bystanders from the emergency personnel. Ms. Willis said, "You on some [expletive]," and raised her hand to separate her brother from Sergeant Miller and moved between them. Sergeant Miller continued to walk forward despite their close proximity but did not exert any force against Ms. Willis. In this position, Officer Mullis attempted to separate them, but Ms. Willis replied, "Don't touch me," but did not back away from Sergeant Miller. Officer Mullis placed his thumbs against her shoulders to encourage her to move back as bystanders also pulled her back. Ms. Willis took out her phone and yelled.

Officer Mullis observed people walked past the police tape. He said, "Hey, hey, hey!" as he reached out right his hand and touched the man's left elbow. The man got very angry and started yelled, "Why are you touching me?" and stated his son was being treated by the emergency personnel. Another woman intervened and told him to calm down. Initially, the man went beyond the tape but tried to return. Officer Mullis placed a hand on his chest to stop him. Still upset, the man yelled that he did not want to be touched and asked, "Why is your white [expletive] touching me, man?" Officer Mullis interacted with other bystanders without incident. When most of the crowd dissipated, Officer Mullis deactivated his BWC.

Officer Britney Salisbury

The events recorded by Officer Salisbury's BWC occurred starting at 5:02pm on July 4, 2020, according to the BWC's timestamp. A review of that recording reveals the following:

Officers Mullis and Salisbury arrived on scene. They approached emergency personnel, who were treating the injured. Ms. Willis's brother was immediately behind Officer Mullis, who stood next to the emergency personnel. Officers Mullis and Salisbury turned, moved forward, and told him he needed to get back. When he attempted to persist, the officers kept their hands at his torso to prevent him from advancing. Eventually, four female bystanders physically intervened, prevented him from walking further, and answered his questions.

Officers Mullis and Salisbury managed the crowd to maintain distance between the crowd and the emergency personnel. She engaged with Ms. Willis's brother briefly; she asked questions, including if he knew the crash victims and told him that she understood he was worried, but CFD

needed to do their job. Ms. Willis arrived and consoled her brother. Officer Salisbury advised they could meet his daughter at the hospital. After a few minutes, Officer Salisbury left to move her cruiser for the firetrucks.

When Officer Salisbury returned, Sergeant Miller was talking with Ms. Willis and her brother (as previously transcribed). Officer Salisbury took Sergeant Miller's keys to move his cruiser for CFD but ultimately did not need to. When she returned, she spoke briefly with officers and advised bystanders that people were unable to ride in the ambulance due to the pandemic but could meet at the hospital. Officer Salisbury remained on scene; Ms. Willis's brother walked with a child on a gurney. She returned the tape to her cruiser and deactivated her BWC.

Officer Jamel Givens

The events recorded by Officer Givens's BWC occurred starting at 5:12pm on July 4, 2020, according to the BWC's timestamp. A review of that recording reveals the following:

Officer Givens arrived on scene. He approached Sergeant Miller and Officer Mullis who stood near a crowd of onlookers. Sergeant Miller stood with his hands raised and walked towards the bystanders, who moved back except for Ms. Willis and her brother. Sergeant Miller and Officer Mullis spoke with them; Ms. Willis described her brother as "emotional." Ms. Willis's brother walked around the officers in an attempt to move beyond Sergeant Miller and Officers Givens, Salisbury, and Mullis; the officers maneuvered to prevent him from advancing further. Sergeant Miller explained the emergency personnel's and his role. As they spoke, Ms. Willis yelled statements like, "But he wants to see his baby! Mr. Miller, do you have a baby?" As they spoke, Ms. Willis repeatedly told Sergeant Miller he was "overdoing it," and then added she was not going to move. Officer Givens advised Ms. Willis to calm down but she remained upset.

Sergeant Miller and Officer Mullis spoke with other bystanders. Officer Givens left the area to retrieve yellow police tape. When he returned, Sergeant Miller and Officer Mullis spoke with Ms. Willis and her brother. Officer Givens was positioned to the side; his BWC captured as Ms. Willis, her brother, and the officers came into close proximity. Ms. Willis positioned herself between her brother Sergeant Miller as Sergeant Miller and Officer Mullis moved them further down the sidewalk. Officer Mullis's hands appeared to touch Ms. Willis's shoulders as they guided them back; there is no indication that Sergeant Miller "chest bumped" Ms. Willis or her brother. Ms. Willis continued to yell at Sergeant Miller.

Officer Givens set up the yellow tape. When he returned, Officer Givens spoke to Ms. Willis and explained that the officers were not trying to prevent her brother from seeing his child. Officer Givens assisted with the tape before he deactivated his BWC.

AUTHORITIES

I. CPD Procedure Manual (in part)

§ 12.545 Use of Force

Definitions:

Actively Resisting Arrest – When the subject is making physically evasive movements to defeat the officer's attempt at control, including fleeing, bracing, tensing, pushing, or verbally signaling an intention to avoid or prevent being taken into or retained in custody.

Choke holds – The courts could consider a choke hold or other similar type holds as deadly force. Choke holds are prohibited unless a situation arises where the use of deadly force is permissible under existing law and Department policy. The use of any type of choke hold to prevent the swallowing of evidence is prohibited.

Force – Any physical strike, instrumental contact with a person, or any significant physical contact that restricts movement of a person. The term includes, but is not limited to, the use of: firearms, TASERS, chemical irritant, choke holds or hard hands, the taking of a subject to the ground, or the deployment of a canine. The term does not include escorting or handcuffing a person with no or minimal resistance.

Hard Hands – The use of physical pressure to force a person against an object or the ground, use of physical strength or skill that causes pain or leaves a mark, leverage displacement, joint manipulation, pain compliance, and pressure point control tactics.

Policy:

A police officer's right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical coercion, or threat thereof, to effect it. Determining whether the force used to affect a particular seizure is reasonable under the Fourth Amendment requires a careful balancing of the nature and quality of the intrusion on the individual's Fourth Amendment interests against the countervailing governmental interests at stake (Graham v. Connor, 1989).

Before any use of force option is employed by an officer to effect an arrest, its proper application requires careful attention to the facts and circumstances of each particular case, including:

- 1) The severity of the crime at issue;
- 2) Whether the suspect poses an immediate threat to the safety of the officers or others;
- 3) Whether the suspect is **actively resisting arrest** or attempting to evade arrest by flight.

Courtesy in all public contacts encourages understanding and cooperation. The most desirable method for effecting an arrest is where a suspect complies with simple directions given by an officer.

When officers are confronted with a situation where control is required to effect an arrest or protect the public's safety, officers should attempt to achieve control through advice, warnings, and persuasion.

The suspect should be allowed to submit to arrest before force is used unless this causes unnecessary danger to the officer or others.

When officers have a right to make an arrest, they may use whatever force is reasonably necessary to apprehend the offender or effect the arrest and no more. Just as officers must be prepared to respond appropriately to rising levels of resistance, they must likewise be prepared to promptly de-escalate the use of force as the subject de-escalates or comes under police control.

Officers must avoid using unnecessary violence. Their privilege to use force is not limited to that amount of force necessary to protect themselves or others but extends to that amount reasonably necessary to enable them to effect the arrest of an **actively resistant** subject.

Force situations often do not allow for an ordinal progression up a continuum of force and officers must be ready to escalate or de-escalate as the situation evolves.

USE OF FORCE CONTINUUM

Examples of Subject Resistance

- Uncooperative: Subject fails to respond to verbal commands or other directions.
- Active resistance: Subject is making physically evasive movements to defeat the officer's attempt at control, including bracing, tensing, pushing, fleeing, or verbally signaling an intention to avoid or prevent being taken into or retained in custody.
- Assault or threat of assault: Subject assumes fighting stance, charges, strikes, or kicks an officer or verbally or physically indicates an intention to commit an assault combined with the subject's capability to assault.
- Life threatening assault or assault likely to cause serious physical harm: Subject commits an attack using an object, a weapon, or an empty hand assault, wherein the officer reasonably believes the assault will result in serious physical harm and/or death.

II. Manual of Rules and Regulations (In Part)

Section One – Failure of Good Behavior

1.06

- A. Members of the Department shall always be civil, orderly, and courteous in dealing with the public, subordinates, superiors, and associates
- B. Members of the Department shall avoid the use of coarse, violent, or profane language.

ANALYSIS

Allegation #1: Excessive Force

On July 4, 2020, Sergeant Miller, M/B/39, assisted other CPD personnel at the scene of a vehicular accident. As he managed crowd control between bystanders and emergency personnel, Sergeant Miller encountered Ms. Willis, F/B/41, and her brother, who repeatedly attempted to bypass the officers. Ms. Willis alleged Sergeant Miller used excessive force when he acted "aggressively" and "chest bumped" her and her brother multiple times in an attempt to gain compliance and force the two back. CPD Procedure §12.545 Use of Force defines force as any physical strike, instrumental contact with a person, or any significant physical contact that restricts movement of a person; the term does not include escorting or handcuffing a person with no or minimal resistance. In their statements, Sergeant Miller and Officers Mullis, M/W/24, Salisbury, F/W/27, and Givens, M/B/33, denied the use of any force against the crowd. BWC footage confirmed that there appeared to be minimal physical contact between the officers and the bystanders; at one time, Sergeant Miller's chest was in close proximity to Ms. Willis and her brother, but there was no evidence to indicate Sergeant Miller "chest bumped" or used any force against them as defined by CPD procedure. Therefore, CCA determined that the allegation of excessive force by Sergeant Miller is unfounded.

CPD Procedure §12.545 Use of Force defines escorting as the use of light pressure to guide a person or keep a person in place. BWC footage showed Officer Mullis used his hands to escort some pedestrians to an appropriate distance from emergency personnel. When Ms. Willis became agitated and moved close to Sergeant Miller, Officer Mullis used his hands to move her away from Sergeant Miller. BWC footage showed Officer Mullis's actions were in compliance with CPD policy. Therefore, CCA concludes that the level of physical contact used by Officer Mullis likely did not amount to a use of force. Even assuming that the contact did constitute force, CCA concluded it was not objectively unreasonable.

Allegation #2: Discourtesy

Ms. Willis alleged Sergeant Miller was discourteous to her and others because he acted overly aggressive. CPD Manual of Rules and Regulations requires all officers to be civil, orderly, and courteous as well as avoid the use of coarse, violent, or profane language. BWC footage showed Sergeant Miller initially acted courteous to Ms. Willis, however, once the situation escalated due to Ms. Willis's and her brother's behavior, Sergeant Miller used profanity and made comments such as, "That was some dumb [expletive] you just did," which only agitated Ms. Willis. At one point, Sergeant Miller responded, "How about I don't talk to you at all?" to a comment by Ms. Willis. Sergeant Miller's use of profanity and tone were not in compliance with CPD's policy, procedure, and training.

Further, Ms. Willis was concerned that Sergeant Miller did not show empathy for the emotional parents who were on scene. BWC footage showed Sergeant Miller behaved courteously to the parents while ensuring they maintained distance between themselves and the emergency personnel. He made several sympathetic comments and attempted to explain the situation when possible. Ms. Willis's complaint was focused on Sergeant Miller's behavior towards her brother. His behavior towards the rest of the bystanders was empathic and satisfactory.

FINDINGS

Original Allegations

Sergeant Adrian Miller

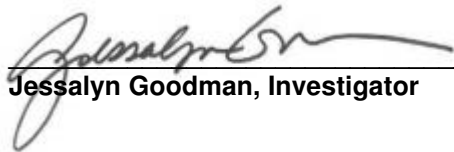
Excessive Force - There are no facts to support the incident complained of actually occurred.
UNFOUNDED

Discourtesy - The allegation is supported by sufficient evidence to determine that the incident occurred and the actions of the officer were improper. **SUSTAINED**

Collateral Allegations

Officer Cameron Mullis

Excessive Force - There are no facts to support the incident complained of actually occurred.
UNFOUNDED



Jessalyn Goodman, Investigator

12/29/2021

Date



Gabriel Davis, Director

12/29/2021

Date

PREVIOUS CONTACTS AND COMMENDATIONS

Sergeant Adrian Miller

Previous Contacts with CCA

Sergeant Miller had one prior contact with CCA in the past three years.

Case Number	Allegation	Finding
18224	Lack Of Service	Referred
18224	Discourtesy	Referred

Previous Contacts with IIS

Sergeant Miller had one previous contact with IIS.

Case Number	Allegation	Finding
2019-200	Lack of Service	Exonerated
2019-200	Improper Procedure	Exonerated
2019-200	Discrimination/Race	Unfounded

Commendations

Sergeant Miller received three previous commendations in the past three years.

Date	Source of Commendation Received
05/17/2018	Civilian
06/22/2020	CPD
06/22/2020	CPD

Officer Cameron Mullis

Previous Contacts with CCA

Officer Mullis has had no prior contacts with CCA in the past three years.

Previous Contacts with IIS

Officer Mullis has had no prior contacts with IIS in the past three years.

Commendations

Officer Mullis has received no commendations in the past three years.